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Chairperson: Mrs. BELEMBAOGO

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* No summary record was issued for the 174th meeting.

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The meeting was called to order at 10.35 a.m.

GENERAL DISCUSSION ON "THE ROLE OF THE FAMILY IN THE PROMOTION OF THE RIGHTS OF THE CHILD" (agenda item 7)

1. The CHAIRPERSON said that the discussion would focus on four basic principles of the Convention: non-discrimination vis-à-vis children, the best interests of the child, the right of children to life, survival and development, and respect for the opinions of children. The discussion would be introduced by three members of the Committee, Mgr. Bambaren Gastelumendi, Mrs. Santos Pais and herself.

2. Mgr. BAMBAREN GASTELUMENDI said that he had endeavoured to sum up the main provisions of various international instruments and documents concerning the rights of the child. The family was a natural unit that had existed before any other community, including the State, and possessed inalienable rights of its own. It was a legal, social and economic unit, but also a community of love and solidarity. Parenthood involved the responsibility of transmitting to one's children not only life but also the cultural, moral, social, spiritual and religious values that were essential to the welfare and development of the family and society. Many generations of history and culture had demonstrated that every community, nation and society needed to recognize and defend the family as an institution founded upon marriage by mutual consent. Furthermore, all religions, even the most primitive, had endowed the family with moral substance and sacred character. Jesus Christ had, for example, proclaimed marriage both a sacrament and an indissoluble bond. The Bible posited that God himself was the creator of marriage and the family. The sacred texts of other religions might also be consulted for their views on that subject.

3. Society and international bodies in particular, must therefore strive to protect the family through the enactment of political, economic, social and legal measures. The Committee on the Rights of the Child should, for its part, urge States to unite their efforts in support of the family, which was crucial to the fulfilment of the goals of the Convention. In every family, the child should be a "king", never a "martyr".

4. Such basic rights and needs as housing, health, education and security were often ignored or undermined by the laws, socio-economic programmes and institutions designed to help them. Too many families with children were obliged to live in poverty and destitution, which undermined their sense of dignity. In the "first world", children suffered from loneliness; there were more and more cases of suicide. In the third world, 200 million children lived in the street, where they were prey to economic exploitation, prostitution, the traffic in international adoption and drug addiction. On the other hand, many families managed to sustain profound moral values, and confronted poverty and egotism with creativity, solidarity and dignity. For children to achieve happiness and the fulfilment of their rights in the contemporary world, social and human values would have to be resurrected, along with a sense of God or, in other words, love.

5. The CHAIRPERSON, also introducing the discussion, said that the family was widely recognized as the basic unit of society. In proclaiming 1996 the International Year of the Family, the United Nations placed the family at the centre of the concerns of the international community. That proclamation had come none too soon. The world was in the throes of profound political, economic and social change, and wars, armed conflicts and the widespread economic crisis were adversely affecting the social sector. Atmospheric and climatic disturbances and natural disasters threatened such vital resources as water and land. Social values were disintegrating; xenophobia and intolerance were on the rise. The family, and particularly children, were profoundly at risk. The International Year of the Family nevertheless provided a glimmer of hope. Owing to the remarkable efforts of its secretariat, many countries had adopted policies or programmes in support of the family and the child. In that connection, the Convention on the Rights of the Child seemed the most apt of the existing human rights instruments, because it attached the greatest importance to the family and to the family's responsibility for caring for the child and for creating conditions conducive to the enjoyment of his rights. Many of the articles of the Convention invoked the family, or an alternate family environment, as the only appropriate context for the survival, protection and development of the child and stressed the State's obligation to provide assistance to the family.

6. The Convention stipulated that within the limits of their means, parents or guardians bore primary responsibility for providing the child with the necessary conditions of life. The traditional family, as an alliance between two families, was disintegrating, and the single-parent family was replacing it. Tension and violence within families were exacerbated by the rural exodus, rapid urbanization, the disappearance of the welfare State, poverty, unemployment, neglect of the elderly, and economic and political migration. There were consequently greater numbers of orphans, children born of adulterous unions, school drop-outs and juvenile offenders. The early or forced marriage of young girls and trafficking in children were also on the rise. Furthermore, political strife was producing migrant, refugee and displaced families.

7. Most of the rights associated with the child concerned the family as a whole, and if the family was to play a role in the promotion of the rights of the child, the State must develop an integrated family policy which took into consideration the needs of its various members. That effort would require the assistance of both governmental bodies and NGOs.

8. Mrs. SANTOS PAIS, also introducing the discussion, said that the International Year of the Family had been proclaimed to reaffirm the value of the family as the smallest democracy at the heart of society. Its programmes would seek to promote basic human rights for all members of the family. In fact, the Convention on the Rights of the Child - which sought to alter the tradition that deemed the interests of parents and children to be one and the same, and to affirm the autonomy and individuality of children - shared that basic approach. It posited that the family environment should foster the coexistence of a number of different principles which should reflect a balance

between the responsibilities and rights of parents and those of children within a context of respect for all family members. The family was seen as the natural environment for the full development of the child and was expected to create an atmosphere of happiness, love and understanding.

9. In its various forms - nuclear, extended, biological or adoptive - the family was the social environment that would most deeply affect the child during his formative years and colour his vision of the world. Given the paramount value of the family, States must render assistance and protection to it in the performance of its child-rearing responsibilities, which included intervening when a child was at risk. The child must be considered a matter of public interest, even within the framework of private family life, and must be protected from any form of injury, abuse or violence, whether mental or physical.

10. While parents bore primary responsibility for the upbringing and development of the child, their role should be informed by the child's best interests and should take into consideration his evolving capacities. The Convention recognized that children required assistance but it also stressed that their individuality and ability to act on their own behalf must not be minimized. Interestingly, an early proposal during the drafting of article 7 had been that, in order to ensure the "psychological stability of the child", the idea that children belonged to their parents should be incorporated. The rejection of that wording indicated the value attached to a child's autonomy and fundamental rights.

11. Parents had a special role to play in fostering the capacity of a child to participate in family, school and social life, and later in democratic society. While it was necessary to give guidance, parents were also expected to provide an environment conducive to the development of a child's ability to express himself. Opinions should be respected, while not necessarily endorsed. Diversity should not in any way be seen to threaten the harmony and unity of the family, and should reinforce its democratic structure. Such an approach recognized the dignity and individuality of the child, affirmed his right to express a divergent opinion, and allowed the promotion of his rights within a context of respect for the rights of other family members.

12. The CHAIRPERSON said she proposed to give the floor to the visiting representatives of specialized agencies and NGOs.

13. Mr. SOKALSKI (Coordinator, International Year of the Family) said that the Convention on the Rights of the Child had proved to be one of the chief means of eliminating "taboo" subjects from the international agenda: basic human rights, gender equality, and the rights of children, disabled persons and the elderly. The proclamation of the International Year of the Family ensured that global attention was paid to another major social issue, and offered an opportunity to promote children's rights and achieve global goals for the survival, development and protection of children.

14. Although, as basic social units and as agents and beneficiaries of development, families occupied a crucially important position in what might be termed a "culture of development", the present condition of the world's families was far from satisfactory. Negative pressures had weakened their

ability to support and care for their members, including children; disrespect for human rights remained one of the underlying reasons for that state of affairs. The proclamation of the International Year of the Child was a response both to the precarious situation of families and to the challenges which that situation posed.

15. Family issues were inextricably linked with human rights issues. First and foremost, families presented an invaluable resource base and medium for the promotion of human dignity and the fostering of individual rights both within and beyond the family. But positive as the power of the family might be, in the realm of human rights it was limited by the rights of its individual members. Expressed positively, every family should be empowered to offer its children the full measure of their human rights. Where families failed to provide the child with a sense of being loved and appreciated, families and societies failed dangerously. The manner in which any society treated its children and other vulnerable members was a measure of its own humanity.

16. As the child's first learning place, the family was a context for informal education, awakening the capacity for learning and helping to provide the fair start which would permit successful entry into school and, later, adult life.

17. Families founded on the principles of equality, the inviolability of the rights and responsibilities of the individual, mutual respect, love and tolerance were the cradle of just, humane societies. They could help to bridge ethnic and political divisions, and to build close ties between peoples, and within and between societies. By the same token, they could play a crucial role in substituting gender equality for the discriminatory attitudes of the past. Those were among the reasons why such importance was attached to the motto of the International Year of the Family - "Building the smallest democracy at the heart of society".

18. Notwithstanding the inestimable value of the Convention on the Rights of the Child, the by-products of development presented new challenges daily. He was referring not only to the perennial threat to children who, rendered captive by their vulnerability or enslaved by abusive or exploitative parents and relatives, had to suffer the full measure of human capacity for cruelty and ignorance, or were forced by war, civil strife or many other maladies to experience at first hand the madness of the grown-up world. In alluding to new and dangerous phenomena, he could not forbear to ask how it was that children often occupied so low a place on national political agendas. What could be done with and for children who not only had their own children, but who also killed children, killed their parents and had access to guns? How could the scourge of domestic violence and abuse of children in families be eliminated? How would it be possible to cope with the growing numbers, especially in Africa and Latin America, of child-headed families?

19. None of the articles of the Convention fully replied to those questions. Some answers could be found in the decisions of the World Summit for Children; others derived from the principles and objectives of the International Year of the Family; still others might be expected among the recommendations of the forthcoming World Summit for Social Development. In other words, in the quest

for effective solutions, comprehensive approaches to developmental issues were called for, comprehensive approaches that began at the level of families. It could not be overemphasized that the well-being of every child was the responsibility of all.

20. It had been stated that a vision without a task was but a dream; a task without a vision was drudgery; but a vision with a task could change the world. The vision and the task of one and all was to build the smallest democracy at the heart of society, where all children were the children of everyone, and where they freely enjoyed their human rights, first and foremost in their families.

21. The CHAIRPERSON thanked the Coordinator for the International Year of the Family for his important statement, and warmly commended him and his staff for their multiple efforts to ensure for the family its rightful place as the fundamental context for individual development and for the development of children in particular.

22. Mrs. ALBANEZ (United Nations Children's Fund) said that UNICEF was by no means content to rest on its laurels as an active party in the drafting of the Convention on the Rights of the Child and as a keen advocate of ratification. It had enthusiastically undertaken not only to promote the Convention and secure more than minimum compliance with its provisions, but also - under the impetus of the Declaration of the 1990 World Summit for Children - to breathe life into rhetoric and transform intent into implementation. Indeed, UNICEF had decided that the Convention would henceforward constitute the framework for all its country programme cooperation in pursuit of carefully considered and properly funded national priority objectives, some of them to be achieved by the end of 1995, others by the turn of the century. In that strategy, UNICEF fully acknowledged the major role and responsibility of families, in both the promotion and the implementation of the Convention. Besides enjoying the rights it contained, they must help to ensure enjoyment of those rights by others. That had been clearly brought out throughout the celebration of the International Year of the Child, and reinforced most recently at the Cairo World Conference on Population and Development.

23. Families provided the greatest learning environment of all. It was through the family that the child first learned about values, about rights and obligations and about sharing, solidarity and responsibility. Sadly, in all too many cases, it was in the family that children also learned and suffered violence, pain, poverty and discrimination.

24. Noting the paradox that while children were viewed by the Convention as complete beings with the same dignity as adults, they were also recognized as being in need of protection and guidance, she observed that parents, families and - in certain cases - members of the extended family or other members of the community must tread a delicate path in exercising their responsibility to provide such protection and guidance whilst avoiding any deviation that might jeopardize the child's healthy development. To accept that society needed the essential functions of families to provide shelter, affection, protection and the satisfaction of children's basic needs was to accept that families - in their different forms - must be assisted by Governments and society in performing that role.

25. The most important gift that human beings could confer was life itself; the second most important was the quality of life. The factor which made a difference between mere survival and truly "living" was the family. In that connection, she underscored the severe impact of poverty, in developed as well as developing countries. Governments and society thus had an obligation to define and apply social and economic policies that were "family-sensitive".

26. She drew attention to the increasing numbers of children in various parts of the world, including children orphaned by armed conflicts or AIDS or those who had fled their homes because of domestic violence and/or poverty, who bonded together in groups for survival. National and international action was urgently called for to rescue and restore the rights of the members of such "families", whose very existence was due to the denial of those rights.

27. Another, more general, task was to dispel the apprehension prevailing in a number of countries, including the United States, that the Convention favoured children's rights over those of parents. That was demonstrably not the case. Like most international human rights treaties, the Convention placed obligations not on individuals but on Governments. It was not about constraining families to bring up their children in any particular manner; it was about the host of services, support and standards that children, families and the community could expect of the State. As to the argument that the Convention sought to undermine "traditional" family values, that might be true but only where the traditions in question involved sexual or economic abuse or exploitation, denial of the child's personality, deprivation of education, or the belief that girls were inherently inferior to other members of their family. The Convention certainly did not countenance such traditions or the practices associated with them.

28. Most constitutions or laws recognized the role of the family. But families were not always well equipped to exercise their functions; monitoring was called for, so that remedial action might be taken as appropriate. Respect for some rights could be monitored relatively easily (access to education and to health services, for example), but because the family was traditionally viewed as a private domain, the monitoring of other rights, such as the right to participate or to be protected from abuse, was far more problematic. In the case of child abuse, child labour and other abusive practices, UNICEF made no apology for advocating urgent implementation of the necessary protective mechanisms, starting with awareness-raising concerning the different problems involved and including measures of support for legislative changes and administrative measures.

29. She drew attention to one of the least respected rights among those set out in the Convention, namely, the right to be registered. The importance of that right went beyond fundamental recognition of the right to a name and a nationality. Its satisfaction constituted in many countries the basis for access to health, education, nutrition and other services outlined in the Convention. The modernization of civil registration systems, and their extension to rural areas, would, moreover, help to diminish trafficking in children, and illegal domestic and international adoptions. UNICEF wished to establish a working relationship with the Division of Statistics of the United Nations in furnishing technical assistance to Governments in that connection.

30. The right to participate and to express opinions did not signify the assumption of responsibility for choices with consequences which the young person could not understand or handle. A delicate balance must be struck between the right to participate and the right to protection. Parents and families must be alerted to the importance of genuine participation for the child's future, and helped to overcome their fear that participation would lead to an undermining of their authority and to the accusation that they had lost control of their offspring. It was, moreover, essential to be consistent, and not to contradict messages that called for social justice and a free society with messages to the effect that children must be seen and not heard.

31. The creed of democracy was recited daily in the United Nations. It must be remembered that democracies responded to public pressure and that children were a relatively silent group amidst those competing for attention. It must also be recognized that the gulf between principle and practice and between high-flown rhetoric and true commitment remained very wide. A concrete indication of that fact was to be seen in the list of countries whose reports to the Committee on the Rights of the Child were long overdue.

32. In electoral campaigns, lip-service to the interests of children often formed part of politicians' rhetoric. When the votes had been cast, however, the words and the children were almost always forgotten. The challenge was to convince the world that children's rights were human rights and must be safeguarded. It was the international community's responsibility to insist that highest priority should be given not only to expanding or increasing social programmes, but also to ensuring that resources were allocated and used for programmes that were "family-friendly" in political, economic and social terms.

33. Mr. OUANES (Office of the United Nations High Commissioner for Refugees) said that the family, as the basic unit of society, was of great importance to UNHCR, especially in traumatic circumstances where family members were separated and its unity and cohesion destroyed. Refugee children and unaccompanied minors were particularly vulnerable in such situations.

34. The protection and assistance accorded by UNHCR to refugee children and their families were founded on a number of basic tenets of international human rights and refugee law, notably: article 16 of the Universal Declaration of Human Rights; the Final Act of the Conference which had adopted the 1951 Convention relating to the Status of Refugees; and articles 9, 10 and 22 of the Convention on the Rights of the Child. Notwithstanding those provisions, as well as statements by the UNHCR Executive Committee on the need to facilitate the practice of family reunification, the area remained in some instances problematic. In that regard, he suggested that the Committee on the Rights of the Child might wish to raise the issue of family reunification practices with States in order to ensure that procedures did not unduly delay the granting of authorization for the reunification of family members.

35. For the world's refugee population, amounting to 23 million persons, more than half of whom were children, UNHCR had in recent years developed specific policies, guidelines and programmes based on a threefold approach: direct services to the child, for example in the form of education; help to the child

through help to the family; and assistance to both child and family through services to the community. For those purposes, UNHCR had developed "Guidelines on protection and care for refugee children" to ensure that the protection of children's rights under both national and international law was adequately and consistently addressed in the Office's activities.

36. Concerning the principle of family unity, and in view of the diversity of family situations, the Office encouraged the development of flexible criteria at the national level. It had sought to promote the idea that a person's claim to refugee status under the 1951 Convention might legitimately be grounded in his or her "membership in a particular social group" that could be, inter alia, his or her "family".

37. Besides promoting appropriate refugee status determination criteria, UNHCR also provided practical assistance by tracing families. As had already been reported to the Committee on another occasion, modern techniques for the conversion of photographs and other information into digitalized messages were being used for that purpose, notably in the former Yugoslavia.

38. In another major UNHCR operation, the Office had been engaged in providing special assistance to unaccompanied minors in camps set up for refugees from Rwanda. Further, it had been involved in preparing, on an inter-agency basis, operational guidelines for the protection and care of unaccompanied refugee children which addressed issues of family reunion claims for children in care. It had also been involved, with the International Committee of the Red Cross (ICRC), UNICEF and the International Federation of the Red Cross and Red Crescent Societies, in drafting a joint statement on the evacuation of unaccompanied children from Rwanda, highlighting the need to ensure that the evacuation of children from situations of armed conflict was undertaken in an orderly manner. The parties to that statement had taken the joint position that children in an emergency context were not available for adoption; in that connection, UNHCR was currently involved in the working group to study the application to refugee children of the Hague Convention on Protection of Children and Cooperation in respect of InterCountry Adoption.

39. Another area of concern was the impact of conflict situations on children and their families, and the Office would play an active part in a related study to be undertaken pursuant to United Nations General Assembly resolution 48/157.

40. As a specific contribution to the International Year of the Family, UNHCR had developed several programmes at headquarters and its field offices. Relevant documentation, together with a special issue of the magazine Refugees focusing on the International Year and describing activities by the Office, were available in the meeting room. UNHCR field offices had, in connection with the International Year of the Family, taken a number of family-focused initiatives.

41. In conclusion, he stressed that of the three elements of UNHCR's strategy - prevention of the circumstances which forced people to flee, preparedness to provide effective protection and assistance, and solutions, particularly through voluntary repatriation, the first clearly offered the preferred, albeit most elusive, solution to the refugee problem. The

Committee on the Rights of the Child should therefore encourage States to develop the necessary legislative and practical means of avoiding situations where children might be forced to flee their country of origin or place of residence and, in consequence, be separated from their families. The Committee should also recommend that States should establish special refugee status determination procedures, in order to take account of the "best interests of the child" and the specific needs of unaccompanied minors. In that regard, UNHCR was ready to provide technical assistance, through both headquarters and its field offices, for example, in training governmental and non-governmental personnel in the appropriate reception and treatment of refugee children.

42. Mrs. BRANDSTRUP (Food and Agriculture Organization of the United Nations) said that the right to food was a fundamental human right, as reflected in articles 24 and 27 of the Convention on the Rights of the Child. The upbringing of a child in such a way as to contribute to his optimum physical, mental and social development was the primary responsibility of the family; access at all times to nutritious food was not only a fundamental right but a critical component of such development. Indeed, nourishment of the child began very early as the foetus drew from its mother all the necessary nutrients for growth and development. The nutritional status of the mother therefore had a profound effect on the well-being and survival of her child and it was well known that poor nutrition during her own childhood could adversely affect the outcome of pregnancy.

43. While it was the responsibility of the family to look after the nutritional welfare of all the children in it, it was important to provide special care for the female child, who might be a future mother. Any discrimination that compromised her nutrition and physical or cognitive development might have a detrimental effect on the nutritional status and health of her future children; an adequate and balanced diet through the formative years, as well as during pregnancy and lactation, would ensure her good health and that of the children born to her. It was an established fact that breast milk was the best food for an infant, and that the duration of successful lactation and the quality of breast milk were dependent on the nutritional status of the mother, and a happy family environment.

44. The right to food for all human beings was of primary concern to FAO, whose mandate and activities continued to contribute to the improvement of living standards of households and families and to enhance access to adequate and nutritious food for the child at all times. The activities of the FAO Food and Nutrition Division especially reflected the organization's efforts to improve the nutrition of every individual at household level, with programmes paying special attention to vulnerable groups and needy families. In addition, FAO's work on food aid and assessment of its nutritional impact, particularly on children, during emergencies contributed to the improvement of their nutritional status.

45. The International Conference on Nutrition, jointly organized by FAO and WHO in Rome in December 1992, had increased global awareness of the ravages of hunger, especially in women and children. At the Conference, 159 member countries, representatives of 144 NGOs, 11 governmental organizations and 16 international organizations had pledged their support in combating hunger, malnutrition and disease, inter alia, through ensuring food security at the family and household levels.

46. In most developing countries, where the largest number of malnourished children lived, the main source of food and income of the families was agriculture. Consequently, development of agriculture in a sustainable, practical and effective way was the only real hope for assuring the basic right of food for all.

47. Mr. DYER (Hague Conference on Private International Law) said that the Hague Conference, in preparing international instruments - specifically, the Hague Convention on the Civil Aspects of International Child Abduction and the Hague Convention on Protection of Children and Cooperation in respect of intercountry adoption, had dealt primarily with aspects where the role of the family was not being adequately fulfilled or protected. Articles 10 and 11 of the Convention on the Rights of the Child were in harmony with the efforts of the Hague Conference to combat international abduction of children, while ensuring at the same time that a child had access to a parent residing in a different State and retained contact with the culture and society with which that parent was associated. In short, it dealt with the question of the preservation of the child's identity in a divided family.

48. The Conference's efforts in relation to intercountry adoption were aimed at protecting children for which international adoption was presented as a valid solution in circumstances where the children concerned were orphans or where their families could no longer provide them with the necessities of life and where a new family in the same country could not be found to take care of them. They were also aimed at helping to forge a new identity for the child. As the Convention on intercountry adoption was relatively recent, its effects had not yet been determined. The Hague Conference was, however, pleased to have received the cooperation of UNHCR in considering questions relating to its application to refugee children.

49. An explanatory report on the Convention on intercountry adoption had recently been prepared, and a meeting of the special commission on the Convention would be held the following week. The Committee had agreed to send Mrs. Eufemio to that meeting as an observer. In addition, a colloquium on "Children on the move" was to be held shortly, organized by the Netherlands Committee for the International Year of the Family, in collaboration with the secretariat of the Hague Conference; it would cover, in particular, child abduction, intercountry adoption and the specific problems of refugee children.

50. Mrs. KOCH (Associated Country Women of the World), noting that cultural patterns the world over were diverse and varied according to religion, economic and social conditions, and environmental and climatic zones, observed that one universal aspect was that cultural patterns bound families together and provided continuity and a sense of belonging. They could form the

framework around which a family conducted its daily life, and coloured different life stages, particularly birth, marriage and death. The institution of the family provided a framework within which a child could develop and mature, and gave it the first lessons in life. In the change and confusion of the modern world, families represented a source of stability and promise; they could help bridge ethnic and political divisions, enhance economic potential, and promote social welfare and social responsibility.

51. The Secretary-General of the United Nations had defined the family as the oldest and most basic unit of human organization. A particular example of the family could be seen in rural and farm families; they had their own specific characteristics, with close interlinkages between home, work and the environment. They tended to be larger than the national average, and farm households headed by women were a growing phenomenon, especially in developing countries.

52. A family should never be held together by coercion or fear; parental authority should be exercised through solidarity and affection. While the power of life and death should never be placed in the hands of any one member of the family, a strong sense of unity could be achieved by a benevolent head of family, and in many cultures it could have a stabilizing effect. To be successful, the family ought to embrace several generations, for it was essential for young and old to live together, and understand and help one another. In that sense, the hippy communities of the 1960s had failed because they had not included all generations. A good barometer of any society was the way in which the elderly were treated. Generally, the function of the family was to level out inequality. It constituted an initial training centre where children were apprenticed for life.

53. Families had a role to play in defining morals and instilling ethical values. In the context of social change, they must be resilient enough to promote new values and behaviour. Family life was changing: rapid urbanization was disrupting family structures; materialism was bringing about changes in values and morals; monetary considerations were taking over from humanitarian and social concerns. Villages were becoming semi-urban and prone to the individual competitiveness associated with semi-urban lifestyles. Concepts such as neighbourliness and friendship could be at risk as individuals spent their time and thoughts on the quest for more power and money.

54. Politically, by forging links between communities, families could help to promote tolerance, build closer ties between peoples and deepen understanding throughout society. Economically, a family could create a wider pool of human and financial resources, achieving more than an individual could do alone. The moral and ethical values upheld by the family could provide a framework for solidarity, build a foundation for agriculture and rural societies throughout the world, and act as agents for transmitting traditional values, cultural identity and informal education.

55. It was clear that the family could provide a basis for security and stability, allowing children to grow into maturity and take their proper place in society. It was, however, equally clear that the family must have support at all levels. In that respect, the United Nations and national Governments

could assist by: (i) undertaking research and data collection to promote a wider understanding of family structures, formation and functions, and identify relevant indicators; (ii) promoting conditions which enabled families to function as a unit so that they could act as a channel for the transmission of values, culture and information, particularly to children and young people; (iii) recognizing the importance of the family as a stabilizing influence on society; (iv) allocating budgetary resources for the benefit of the family to provide adequate housing, sports facilities, social services and schooling; (v) providing education for parents and children on the responsibilities of parenthood and the functions of a family. Ideally, the family of today should be the foundation of the family of tomorrow, where children could learn by example to become responsible family members and good parents.

56. Mr. COTS (International Catholic Child Bureau), drawing attention to the question whether there was any conflict between the rights of the child and the rights of the family, said that those who had drafted the Convention had had no intention of prejudicing parental authority. None the less, the question of possible conflict was raised from time to time, possibly because the Convention established civil and political rights for children. The 1959 Declaration of the Rights of the Child was, like the Convention, intended to protect children; however, in 1959, there had been no question of granting civil and political rights to children, and even at the time of the International Year of the Child, reference had been made to the protection, rather than the exercise of children's rights. Civil and political rights had been incorporated in the Convention only very gradually: the right to express an opinion had been recognized in 1981; the right to freedom of thought, conscience and religion had been recognized in 1984; the right to freedom of expression, freedom of association and privacy had been recognized in 1988. In the same year, an article had been incorporated granting parents the right to guide their children in the exercise of their rights.

57. A constant concern expressed during discussion of those rights had been the need to strike a balance between the rights of the child and the rights of parents. In fact, there was no conflict between such rights. Of the 40 articles in the Convention, some 20 made mention of parents or extended families and in that respect, the preamble and articles 5, 14, 18 and 29 were of particular interest.

58. Shortly after the Convention had been approved on 1 February 1990, the Parliamentary Assembly of the Council of Europe had adopted Recommendation No. 1121, which stated that, in addition to the right to be protected, children had rights which they could exercise independently, even against the will of adults. However, in 1993 the ATD Fourth World Movement had cautioned that the rights of the child should in no way conflict with those of the family. The Council of Europe recommendation had largely been the result of a survey carried out on the situation of the rights of the child in Europe. It had once again given rise to concern that protection of the rights of the child would be achieved to the detriment of the family. However, it had generally been concluded that that problem did not exist and that every effort should be made to ensure harmony between the educational and legal aspects of the parent-child relationship. The discussion on the civil and political rights of the child had in most cases arisen from proposals by Western countries. That might be taken to mean that States parties should give

priority to certain articles of the Convention over others. However, that would be a serious misconception. As some commentators had stated, the Convention described children's rights as indivisible and mutually reinforcing.

59. It was clear that the question of a possible conflict between the rights of the child and the rights of the family was closely related to the approach to the civil and political rights of children. In his view, there was complementarity rather than contradiction between the two sets of rights. While the Convention had institutionalized the right of the child to be heard, all responsible parents and all good teachers had always respected that right. The conflict was in fact a false one, and was quite different from the natural clashes which occurred between parents and children. The International Year of the Family should highlight the harmony between the two sets of rights. The fundamental problem concerned the dissemination of the contents of the Convention.

60. Mr. PITTET (Terre des Hommes) said that, to improve the situation of children in the developing countries, it was necessary first to improve the situation of the family, then the community, then the country as a whole, and ultimately to promote justice throughout the world. He described a number of field projects undertaken by his organization with that aim in view: in Peru, a project aimed at preserving and improving peasant agriculture, thus preventing the break-up of rural families caused by the drift of the men to the towns, and at educating and training peasant children to take pride in their work as farmers; in Burkina Faso, a project to help find foster families for children abandoned through family poverty; in Senegal, a project for the education of girls working as servants in the towns, helping them to return to their homes and providing simple devices to lessen women's traditional drudgery; in the Philippines, a project with street children, providing them with schooling and a place to live and helping them to become responsible adults, capable of taking care of their own families; also in the Philippines, a project to help small fishing families who had lost their livelihood as a result of the arrival of factory ships in their traditional fishing grounds and to learn crafts that could provide an alternative source of income.

61. Unfortunately, the problem facing many NGOs was that the public was more interested in cure than prevention, meaning that funds to be used to prevent problems were less forthcoming than those for repairing the damage done. A fairer distribution of resources between North and South, through debt forgiveness and better terms of trade among other things, would help to promote the rights of children in the developing world.

62. Colour slides illustrating the field projects described by Mr. Pittet were projected.

63. Mr. VENARD (ATD Fourth World) said that, in nine years of working with street children in Ouagadougou, he had learned that their hopes and wishes were the same as those of the poorest children in the industrialized countries: to be recognized and respected as members of a family, no matter how troubled or fragile. Sometimes, a child's seeming repudiation of family ties was an attempt to protect that family from judgement, even shame. What those children, who had left home because their parents could not provide for

them, wanted was a measure of respect for their parents and an opportunity to be proud of them. Some families lacked the means to play the role expected of them. They might be blamed for not allowing their children to learn and for expecting them to work to help the family exist, but what was truly unacceptable was that a parent should be so placed that he or she could have no better ambition for a child than day-to-day survival.

64. Children wanted their parents to be helped to look after them. They wanted to live at home and also they wanted to live in decent conditions that would help to make that home happy. Often they had to choose between the two, or others chose for them and for their parents, because, in extreme poverty, both could not be done at once.

65. All over the world, the children of the poorest families were working to help them. It was normal and important that they should try, but it was too hard for them alone. How then could children's efforts to let the family play its proper role be helped, and how did those families perceive their role? It took time to be received in such a family, not as an investigator or as a judge, or even as a substitute parent, but as a friend. Once that was done, one would learn that what the parents wanted for their children was a better life than their own.

66. He had worked with many members of organizations dedicated to children in difficult circumstances and been amazed by their capacity for affection, understanding, even forgiveness, for the children who sometimes disappointed them. If only families could be offered even a part of that care and understanding! If parents were given the means to care for their children, and children were given the possibility of living a decent life within their family, they would have what every child really wanted.

67. The CHAIRPERSON thanked all those who had spoken. A number of essential ideas had emerged in the course of the meeting: first, that a balance must be struck between the rights of children and those of the adults responsible as parents for their upbringing and development; then, the family, as the basic unit of society, was the ideal framework for the exercise of democracy, to be developed first in the family and then in society at large; the family was also the best framework for protecting the rights of the child, and Governments and organizations should help it to do so. A number of speakers had mentioned the special situations that could affect children: extreme poverty, displacement, abandonment, domestic violence, drug abuse, physical and mental handicap. She noted that the Convention gave special consideration to the rights of all those who were victimized or marginalized. The International Year of the Family had also been recognized as an ideal occasion for encouraging the international community to learn about children's rights and for promoting government policy in support of children. Family responsibility vis-à-vis nutrition had been emphasized, as well as the importance of government policies to improve food production and distribution. After the remaining presentations by representatives of NGOs at the next meeting, there would be a general discussion.

The meeting rose at 1.05 p.m.